

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 17-183 (PAM/LIB)

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	MOTION TO SUPPRESS STATEMENTS,
v.)	ADMISSIONS AND ANSWERS
)	
JOSHUA FRANCIS HILL,)	
)	
Defendant.)	

The defendant Joshua Francis Hill moves the Court for an order suppressing all statements, admissions and answers made to the FBI while he was in custody at the Red Lake Jail on July 3, 2017. In support of this motion, Mr. Hill states:

1. On June 30, 2017, while Mr. Hill was in the Red Lake Jail, the FBI attempted to interrogate Mr. Hill about his involvement in the charged offense. After being advised of his rights, Mr. Hill asserted his right to counsel and to remain silent.

2. Three days later, on July 3, 2017, the FBI again attempted to question Mr. Hill. In the interim, he had not been afforded counsel and did not have counsel with him on July 3, 2017. Donna Morrison who was present, and who identified herself as a public defender, is not a lawyer and has no legal training. She advised Mr. Hill that “if you want to let them question you, that’s just fine.” In addition, Mr. Hill had been advised that he needed to talk to the FBI in order to get out of segregation and into general population at the jail.

3. The FBI failed to “scrupulously honor” Mr. Hill’s assertion of his right to counsel on June 30, 2017. The July 3 statement was made without the assistance or benefit of counsel in violation of defendant’s Fifth Amendment and Sixth Amendment rights under the Constitution of

the United States. Mr. Hill did not knowingly, intelligently or voluntarily waive his right to counsel which he unequivocally asserted on June 30, 2017 when the agents resumed questioning him three days later.

Dated: August 24, 2017

Respectfully submitted,

s/ Robert D. Richman

ROBERT D. RICHMAN

Attorney ID No. 226142

P.O. Box 16643

St. Louis Park, MN 55416

(651) 278-4987

Attorney for Defendant